

## **BILL ANALYSIS**

S.B. 1437  
By: Schwertner  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties assert that the billing practices among highway toll projects are confusing and often result in unexpected tolls and fees. S.B. 1437 seeks to address these common frustrations by revising toll road billing and payment practices.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1437 amends the Transportation Code to prohibit a toll project entity from sending an invoice or a notice of unpaid tolls to the registered owner of a vehicle soliciting payment of a toll or any related administrative fee unless the entity first determines whether there is an active electronic toll collection customer account that corresponds to a transponder issued for the vehicle. The bill requires the toll project entity, if the entity determines there is a sufficiently funded electronic toll collection customer account that corresponds to a transponder issued for the vehicle, to satisfy the outstanding toll from the account at the standard electronic collection rate and prohibits the entity from collecting any administrative fees or late fees. The bill also requires the toll project entity, if the entity determines there is a sufficiently funded electronic toll collection customer account that corresponds to a transponder issued for the vehicle and if the entity determines that a transponder issued to an electronic toll collection customer did not work correctly more than 10 times in a 30-day period, to send to the customer a notice informing the customer that the transponder issued for the customer's vehicle may not be working correctly. The bill requires a notice or an invoice of unpaid tolls sent by a toll project entity to clearly state that the document is a bill and the recipient is expected to pay the amount indicated. The bill authorizes an invoice or notice provided to a person by a toll project entity to be provided by first class mail or email if the person has provided an email address to the entity and has elected to receive notice electronically.

S.B. 1437 requires the Texas Department of Transportation to provide electronic toll collection customers with an option to authorize automatic payment of tolls through the withdrawal of funds from the customer's bank account.

### **EFFECTIVE DATE**

September 1, 2017.